



RULE 63 (37 CFR § 1.63)  
DECLARATION FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "PROCESS AND MATERIALS FOR PRODUCTION OF GLUCOSAMINE AND N-ACETYL GLUCOSAMINE", the specification of which was prepared and filed on July 1, 2003, receiving Serial No. 10/612,779, and further identified as Attorney File No. 3161-18-2.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with 37 CFR 1.56(a) and (b) as set forth on the attached sheet indicated Page 3 hereof and which I have read.

I hereby claim priority benefits under 35 U.S.C. 119(e) of any provisional application(s) for patent listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information material to patentability in accordance with 37 CFR 1.56(a) and (b) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/383,348	July 1, 2002	Abandoned

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information material to patentability in accordance with 37 CFR 1.56(a) and (b) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor's Signature  Date 12/13/03

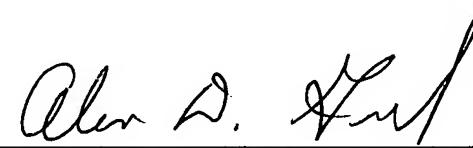
Inventor's Name: Ming-De Deng  
Citizenship: Canada  
Residence: 1108 Westwood Lane  
Post Office Address: Manitowoc, Wisconsin 54220  
Same as Residence

(2) Inventor's Signature  Date 11/21/03

Inventor's Name: J. David Angerer  
Citizenship: U.S.  
Residence: 11 Slashpine Circle  
Post Office Address: Hockessin, Delaware 19707  
Same as Residence

(3) Inventor's Signature  Date 11/21/03

Inventor's Name: Don Cyron  
Citizenship: U.S.  
Residence: 1145 Thunderhill Road  
Post Office Address: Lincoln University, Pennsylvania 19352  
Same as Residence

(4) Inventor's Signature  Date 12/4/03

Inventor's Name: Alan D. Grund  
Citizenship: U.S.  
Residence: 3213 Lindbergh Drive  
Post Office Address: Manitowoc, Wisconsin 54220  
Same as Residence

(5) Inventor's Signature



Date 12/1/03

Inventor's Name: Thomas A. Jerrell, Jr.  
Citizenship: U.S.  
Residence: 2111 Stoney Brook Court  
Manitowoc, Wisconsin 54220  
Post Office Address: Same as Residence

(6) Inventor's Signature



Date 12/3/03

Inventor's Name: Candice Leanna  
Citizenship: U.S.  
Residence: 1065 Lime Kiln Road  
Green Bay, Wisconsin 54302  
Post Office Address: Same as Residence

(7) Inventor's Signature



Date 11/21/03

Inventor's Name: Owen Mathre  
Citizenship: U.S.  
Residence: 119 Westgate Drive  
Wilmington, Delaware 19808  
Post Office Address: Same as Residence

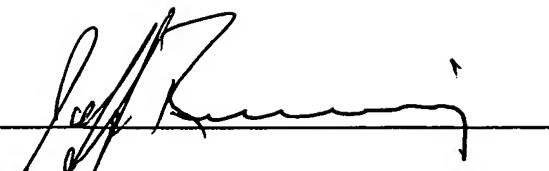
(8) Inventor's Signature



Date 12/3/03

Inventor's Name: Reinhardt Rosson  
Citizenship: U.S.  
Residence: 1029 N. 15th Street  
Manitowoc, Wisconsin 54220  
Post Office Address: Same as Residence

(9) Inventor's Signature



Date 12/3/03

Inventor's Name: Jeff Running  
Citizenship: U.S.  
Residence: 612 St. Clair Street  
Post Office Address: Manitowoc, Wisconsin 54220  
Same as Residence

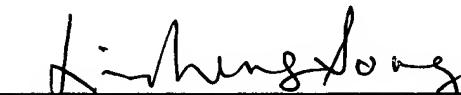
(10) Inventor's Signature



Date 12/13/03

Inventor's Name: Dave Severson  
Citizenship: U.S.  
Residence: 1816 26th Street  
Post Office Address: Two Rivers, Wisconsin 54241  
Same as Residence

(11) Inventor's Signature



Date 12/13/2003

Inventor's Name: Linsheng Song  
Citizenship: China  
Residence: 2409 Risch Lane  
Post Office Address: Manitowoc, Wisconsin 54220  
Same as Residence

(12) Inventor's Signature



Date 12/13/03

Inventor's Name: Sarah Wassink  
Citizenship: U.S.  
Residence: 1728 N. Second Street  
Post Office Address: Sheboygan, Wisconsin 53081  
Same as Residence

37 CFR §1.56(a) and (b)  
DUTY TO DISCLOSE INFORMATION MATERIAL  
TO PATENTABILITY

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of a patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.\*

\*Note, 37 CFR §1.97(h) states: "The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b)."

POWER OF ATTORNEY

On behalf of Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division, a Delaware corporation having a principal place of business at Concord Plaza – Quillen Building, 3521 Silverside Rd., Wilmington, Delaware 19810 being the assignee and owner of all right, title and interest in the invention entitled "PROCESS AND MATERIALS FOR PRODUCTION OF GLUCOSAMINE AND N-ACETYL GLUCOSAMINE", for which application for Letters Patent of the United States has been made by Ming-De Deng, J. David Angerer, Don Cyron, Alan D. Grund, Thomas A. Jerrell, Jr., Candice Leanna, Owen Mathre, Reinhardt Rosson, Jeff Running, Dave Severson, Linsheng Song, and Sarah Wassink, said application having been filed on July 1, 2003, receiving Serial No. 10/612,779, and further identified as Attorney File No. 3161-18-2, I hereby appoint David F. Zinger, Registration No. 29,127; Craig C. Groseth, Registration No. 31,713; Sabrina C. Stavish, Registration No. 33,374; Todd P. Blakely, Registration No. 31,328; Lewis D. Hansen, Registration No. 35,536; Joseph E. Kovarik, Registration No. 33,005; Gary J. Connell, Registration No. 32,020; Douglas W. Swartz, Registration No. 37,739; Bruce A. Kugler, Registration No. 38,942; Robert R. Brunelli, Registration No. 39,617; Brent P. Johnson, Registration No. 38,031; Dana Hartje Cardwell, Registration No. 40,638; Angela Dallas Sebor, Registration No. 42,460; Benjamin B. Lieb, Registration No. 42,801; Bradley M. Knepper, Registration No. 44,189; Miriam Drickman Trudell, Registration No. 42,499; Dennis J. Dupray, Registration No. 46,299; Kenneth C. Winterton, Registration No. 48,040; Robert D. Traver, Registration No. 47,999; Mark L. Yaskanin, Registration No. 45,246; Scott R. Bialecki, Registration No. 51,470; Christopher J. Hussin, Registration No. 51,829; Craig W. Mueller, Registration No. 52,055 and Mary B. Smith, Registration No. 43,512, of SHERIDAN ROSS P.C., 1560 Broadway, Suite 1200, Denver, Colorado 80202-5141, telephone number (303) 863-9700, as attorneys and agents for Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division with full powers of substitution, association and revocation to prosecute the application and related U.S. and foreign applications and to transact all business in the United States Patent and Trademark Office and all foreign and international patent offices connected therewith.

Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above, a copy of which is attached. The undersigned has reviewed the assignment of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December 4, 2003

By: Thomas A. Jerrell  
Name: Thomas A. Jerrell  
Title: President

## ASSIGNMENT

WHEREAS, we, Ming-De Deng of 1108 Westwood Lane, Manitowoc, Wisconsin 54220, J. David Angerer of 11 Slashpine Circle, Hockessin, Delaware 19707, Don Cyron of 1145 Thunderhill Road, Lincoln University, Pennsylvania 19352, Alan D. Grund of 3213 Lindbergh Drive, Manitowoc, Wisconsin 54220, Thomas A. Jerrell, Jr. of 2111 Stoney Brook Court, Manitowoc, Wisconsin 54220, Candice Leanna of 1065 Lime Kiln Road, Green Bay, Wisconsin 54302, Owen Mathre of 119 Westgate Drive, Wilmington, Delaware 19808, Reinhardt Rosson of 1029 N. 15th Street, Manitowoc, Wisconsin 54220, Jeff Running of 612 St. Clair Street, Manitowoc, Wisconsin 54220, Dave Severson of 1816 26th Street, Two Rivers, Wisconsin 54241, Linsheng Song of 2409 Risch Lane, Manitowoc, Wisconsin 54220, and Sarah Wassink of 1728 N. Second Street, Sheboygan, Wisconsin 53081, have invented a certain new and useful invention entitled "PROCESS AND MATERIALS FOR PRODUCTION OF GLUCOSAMINE AND N-ACETYL GLUCOSAMINE", for which an application for Letters Patent of the United States were prepared and filed on July 1, 2003, receiving Serial No. 10/612,779, and further identified as Attorney File No. 3161-18-2;

NOW THEREFORE, be it known that we, the said inventors, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division, a Delaware corporation having a place of business at Concord Plaza—Quillen Building, 3521 Silverside Rd., Wilmington, Delaware 19810, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; we warrant that we have made no assignment of the invention, application or patent therefor to a party other than Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Arkion Life Sciences LLC d/b/a Bio-Technical Resources Division, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: 12/3/03

By: Ming-De Deng  
Ming-De Deng

Date: 11/21/03

By: J. David Angerer  
J. David Angerer

Date: 11/21/03

By: Don Cyron  
Don Cyron

Date: 12/4/03

By: Alan D. Grund  
Alan D. Grund

Date: 12/3/03

By: Thomas A. Jerrell, Jr.  
Thomas A. Jerrell, Jr.

Date: 12/3/03

By: Candice Leanna  
Candice Leanna

Date: 11/21/03

By: Owen Mathre  
Owen Mathre

Date: 12/3/03

By: Reinhardt Rosson  
Reinhardt Rosson

Date: 12/3/03

By: Jeff Running  
Jeff Running

Date: 12/3/03

By: Dave Severson  
Dave Severson

Date: 12/3/2003

By: Linsheng Song  
Linsheng Song

Date: 12/3/03

By: Sarah Wassink  
Sarah Wassink

STATE OF Delaware )  
COUNTY OF Maintowee ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Ming-De Deng, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

Melody L. Riddell  
Notary Public  
My commission expires: 5-30-2004

STATE OF )  
COUNTY OF ) ss.

Before me, a Notary Public in and for said County and State, personally appeared J. David Angerer, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21<sup>st</sup> day of November, 2003.

Melody L. Riddell  
Notary Public  
My commission expires: MELODY L. RIDDELL  
Notary Public  
State of Delaware  
My Commission expires on May 22, 2004

STATE OF )  
COUNTY OF ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Don Cyron, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21<sup>st</sup> day of November, 2003.

Melody L. Riddell  
Notary Public  
My commission expires: MELODY L. RIDDELL  
Notary Public  
State of Delaware  
My Commission expires on May 22, 2004

STATE OF WISCONSIN )  
COUNTY OF MANITOWOC ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Alan D. Grund, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 4 day of December, 2003.

Barbara Bonin  
Notary Public  
My commission expires: 7-2-04

STATE OF WISCONSIN )  
COUNTY OF MANITOWOC ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Jerrell, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

Mary A. Jindra  
Notary Public  
My commission expires: 5-30-2004

STATE OF WISCONSIN )  
COUNTY OF MANITOWOC ) ss.

Before me, a Notary Public in and for said County and State, personally appeared Candice Leanna, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

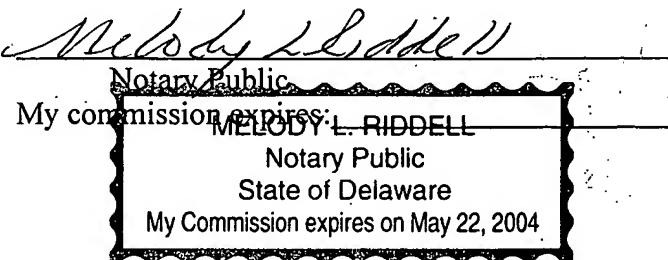
Mary A. Jindra  
Notary Public  
My commission expires: 5-30-2004

STATE OF )  
            ) ss.  
COUNTY OF )

Before me, a Notary Public in and for said County and State, personally appeared Owen Mathre, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 21st day of November, 2003.

STATE OF Wisconsin)  
            ) ss.  
COUNTY OF Manitowoc)



Before me, a Notary Public in and for said County and State, personally appeared Reinhardt Rosson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3rd day of December, 2003.

STATE OF Wisconsin)  
            ) ss.  
COUNTY OF Manitowoc)

Mary A. Jimino  
Notary Public  
My commission expires: 5-31-2004

Before me, a Notary Public in and for said County and State, personally appeared Jeff Running, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3rd day of December, 2003.

Mary A. Jimino  
Notary Public  
My commission expires: 5-31-2004

STATE OF Wisconsin )  
                      ) ss.  
COUNTY OF Marinette)

Before me, a Notary Public in and for said County and State, personally appeared Dave Severson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

Mary A. Jindra  
Notary Public  
My commission expires: 5-31-2004

STATE OF Wisconsin )  
                      ) ss.  
COUNTY OF Marinette)

Before me, a Notary Public in and for said County and State, personally appeared Linsheng Song, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

Mary A. Jindra  
Notary Public  
My commission expires: 5-31-2004

STATE OF Wisconsin )  
                      ) ss.  
COUNTY OF Marinette)

Before me, a Notary Public in and for said County and State, personally appeared Sarah Wassink, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 3RD day of December, 2003.

Mary A. Jindra  
Notary Public  
My commission expires: 5-31-2004